vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.1083 OF 2005

Rekha Industrial company ... Plaintiffs

V/s.

M/s.Sangam Creations Pvt. Ltd. ... Defendants

Mr.K.L. Parab for Plaintiffs
None for Defendants

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **APRIL 17, 2006**

P.C.:

. The present summary suit has been filed to recover an amount of Rs.67,361/- with interest thereon @ 14% per annum. The Plaintiffs claim that they had supplied and delivered spare parts of textile machinery to the defendants. The defendants received the material sent by the plaintiffs without any demur. However, the defendants did not make payment as per the invoice received by them. Despite reminders, the defendants failed to make payment. A notice was therefore, served on 10.11.2004 and received by the defendants on 13.11.2004.

2. There is no denial of the claim at all. No appearance is filed nor is there any defense to the claim in the suit.

3. The plaintiff has filed an affidavit of service

as well as the original documents alongwith the list. These documents support the claim of the plaintiff. In my view, therefore, the plaintiff is entitled to decree as prayed for.

4. Suit is accordingly decreed as prayed for. However, interest from the date of filing of the suit is reduced to 6% per annum.